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NOTE AND COMMENT.

THE ATTENDANCE IN THE LAW SCHOOL.—On November 1, the attendance in the Law School was 656, the increase in entrance requirements having resulted in a falling off in attendance, though to a less degree than was anticipated. The students now in attendance have come to the Law School from 110 colleges and universities, as follows: University of Michigan, 164; University of Illinois, 11; University of Nebraska, Princeton, 6; University of Missouri, Valparaiso, 5; Pennsylvania State College, Westminster College, Ypsilanti Normal, 4; Amherst, Albion, Buchtel, University of California, University of Chicago, University of Colorado, Depauw, Detroit College, Ohio Northern, Olivet, University of Wisconsin, 3; Coe, Cornell, Dartmouth, University of Denver, Earlham, Findley, Fisk, Grove City, University of Indiana, Indiana State Normal, Iowa State University, Kalamazoo College, Mercer, University of Minnesota, Missouri State Normal, United States Naval Academy, Northwestern, Ohio State University, University of Oklahoma, Oklahoma State Normal, University of South Dakota, St. Mary's College, Wabash, Western Reserve, Yale, 2; Allegheny, Alma, Augustana, Baker, Bethany, Beloit, Bowdoin, Brown, Bucknell, Buena Vista, Carroll, Carthage,

Central University of Kentucky, Cornell (Iowa), Creighton, Doshisha (Japan), Eureka, Fargo, University of Florida, Fremont, Geneva, University of Georgia, Hargchow (China), Hedding, Heidelberg, Hendrix, Hillsdale, Hiram, Illinois State Normal, James Milliken, Jefferson, University of Kansas, Keystone State Normal, Knox, Lawrence, Louisiana State Normal, Marshall, Maryville, Michigan Agricultural, Mississippi Agricultural and Mechanical School, Montana Wesleyan, Muskingum, Nankin (China), Nebraska Wesleyan, University of Nevada, Notre Dame, Oberlin, Ohio Wesleyan, University of Oregon, Oxford University, Pennsylvania State Normal, University of the Philippines, Stanford, St. Peter's, St. Viateurs, Tri-State, University of Utah, University of Virginia, Washington State, Wayne, West Maryland, Wooster, University of Wyoming, York, 1. There are students in attendance from 44 states and territories and from Canada, China, Ireland, and Japan.

AN EXTREME CASE IN THE APPLICATION OF THE SAFETY APPLIANCE ACT.—The recent case of *Gray* v. *Louisville & N. R. Co.* (D. C. Tenn.), 197 Fed. 874, is an extreme holding under the Safety Appliance Act of March 2, 1893, (27 Stat. at L. 531, chap. 196), as amended by the acts of April 1, 1896 (29 Stat. at L. 85, chap. 87), March 2, 1903 (32 Stat. at L. 943, chap. 976), and April 14, 1910 (36 Stat. at L. 278, chap. 160).

A car containing cotton shipped from another state arrived in the defendant company's yard at destination. While it was being shifted into position for transportation to the private switch track of the consignee, one of the draw-heads and couplers was jerked out so that one end of the car was left without a coupler that would operate automatically. Without being repaired, the car was transported to the private switch, unloaded, and with other cars left standing on the switch. In order to take this car to the shop for repairs, the defendant's yard engine coupled to another car (which was in good condition and which was being taken to the yards for general use) and pushed the good car back so that the defective car might be fastened to it by means of a chain coupling. While plaintiff's intestate, an employe of defendant, under orders of the conductor, was attempting to make this fastening, the engine shoved back and he was caught between the cars and killed. The action was brought for damages for the wrongful death. It was held that the private switch as thus used was a *railroad* and a part of defendant's *line* within the meaning of the Safety Appliance Act, and that the movement of the car was in violation of the Act.

It has been held that a belt line railroad, wholly within a state, engaged only in transferring cars from one trunk line to another, is a railroad within the act. *Belt Ry. Co. of Chicago* v. *United States,* 168 Fed. 542, 93 C. C. A. 666. There was a similar holding in *Union Stockyards Co.* v. *United States,* 169 Fed. 404. A terminal company which receives cars of coal coming from another state, and delivers them within its yards to engines of a railroad company, is engaged in interstate commerce within the meaning of the Act. *United States* v. *Northern Pac. Terminal Co.,* 144 Fed. 861. If a railroad is engaged in transporting articles of interstate commerce, it is within the Act